

NOT FOR PUBLICATION

UNITED STATES COURT OF APPEALS

FOR THE NINTH CIRCUIT

FILED

JUL 28 2006

CATHY A. CATTERSON, CLERK
U.S. COURT OF APPEALS

UNITED STATES OF AMERICA,

Plaintiff - Appellee,

v.

DEAN BRYAN BOWER,

Defendant - Appellant.

No. 05-30168

D.C. No. CR-04-00085-a-
RRB/AH

MEMORANDUM^{*}

UNITED STATES OF AMERICA,

Plaintiff - Appellee,

v.

DEAN BRYAN BOWER,

Defendant - Appellant.

No. 05-30324

D.C. No. CR-04-00084-a-RRB

Appeal from the United States District Court
for the District of Alaska
Ralph R. Beistline, District Judge, Presiding

Argued and Submitted July 24, 2006
Anchorage, Alaska

^{*} This disposition is not appropriate for publication and may not be cited to or by the courts of this circuit except as provided by 9th Cir. R. 36-3.

Before: KOZINSKI, BERZON, and TALLMAN, Circuit Judges.

Soon after Bower submitted his opening brief, we published *United States v. Gourde*, 440 F.3d 1065 (9th Cir. 2006) (en banc). *Gourde* controls this case.

AFFIRMED.